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Atorneys for Defendant
VNGR BEVERAGE, LLC d/b/a POPPI

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

**In re VNGR BEVERAGE, LLC
LITIGATION**

Case No. 4:24-cv-03229-HSG

This Document Relates to:
Case No. 4:24-cv-06666-HSG

**JOINT STIPULATION TO CONTINUE THE
MOTION TO DISMISS HEARING; ORDER**

Dept: Courtroom 2
Judge: Judge Haywood S. Gilliam, Jr.

1 Pursuant to Civil Local Rules 6-2 and 7-12, Plaintiffs Kristin Cobbs, Carol Lesh, Sarah
 2 Colemand, and Megan Wheeler (“Plaintiffs”) and Defendant VNGR Beverage, LLC d/b/a Poppi
 3 (“Defendant” or “Poppi,” and together with “Plaintiffs,” the “Parties”) hereby jointly stipulate and
 4 agree as follows:

5 1. WHEREAS, the above consolidated action, *In re VNGR Beverage, LLC Litigation*,
 6 Case No. 4:24-cv-03229-HSG (ECF No. 1) is presently pending before the Court;

7 2. WHEREAS, on August 20, 2024, Plaintiffs filed a Second Amended Consolidated
 8 Complaint (“SAC”) (ECF No. 35);

9 3. WHEREAS, on September 23, 2024, Poppi filed its Motion to Dismiss the SAC,
 10 which is currently scheduled for a hearing before this Court on December 5, 2024 at 2:00 p.m.
 11 (ECF No. 37);

12 4. WHEREAS, the Parties have conferred regarding the December 5 hearing date, and
 13 agree that a short continuance of the hearing, until December 19, 2024, would benefit the parties;

14 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by the Parties
 15 hereto, through their undersigned counsel, as follows:

16 1. The Court may continue the motion to dismiss hearing, currently scheduled for
 17 December 5, 2024 at 2:00 p.m., to December 19, 2024 at 2:00 p.m., or to the next available and most
 18 convenient date for the Court.

19 2. The Parties are not waiving any rights, claims, or defenses of any kind except as
 20 expressly stated herein, and the Parties reserve the right to seek further extensions of time as
 21 circumstances may warrant, subject to the Court’s approval.

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1 Dated: October 18, 2024

COOLEY LLP

2 */s/ Megan L. Donohue*
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12 Attorneys for Defendant
13 VNGR BEVERAGE, LLC d/b/a POPPI

14 Dated: October 18, 2024

BURSOR & FISHER, P.A.

15 */s/ L. Timothy Fisher*
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20 Co-lead Interim Class Counsel

ATTESTATION OF CONCURRENCE IN FILING

Pursuant to the United States District Court for the Northern District of California, Civil L.R. 5-1(i), I, Megan L. Donohue, hereby attest that the concurrence to the filing of the foregoing document has been obtained from the signatories.

Dated: October 18, 2024

COOLEY LLP

/s/ Megan L. Donohue
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VNGR BEVERAGE, LLC d/b/a POPPI

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED. The Court, having considered the parties' Joint Stipulation to Continue the Motion to Dismiss Hearing, pursuant to Civil Local Rules 6-2 and 7-12, the Court hereby continues the December 5, 2024 motion to dismiss hearing until December 19, 2024 at 2:00 p.m.

Dated: 10/21/2024

By: Jaywood S. Gilliam
Judge Haywood S. Gilliam, Jr.